

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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EYVGENYI E. SCHERBAN,

Plaintiff,

-against-

MERRILL LYNCH et al.,

Defendants.
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: 14-CV-6312 (VSB) (OTW)
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ORDER

ONA T. WANG, United States Magistrate Judge:

The Court is in receipt of ECF 118 and 119.

On June 13, 2024, I issued an Order (ECF 109) directing Plaintiff Eyvgenyi E. Scherban to file an amended complaint by July 12, 2024, to reflect that he was the only remaining plaintiff whose claims were still at issue in this litigation.¹ On July 10, 2024, the Court granted an extension of time to file the amended complaint until July 26, 2024. (ECF 111). Plaintiff filed their amended complaint on July 26, 2024, and added multiple new claims and two new parties, Jeffry Schneider and Igor Nikitin, as defendants. (ECF 115). The addition of the new claims and parties exceeded the scope of the June 13, 2024, Order, and Plaintiff failed to seek leave of the Court before adding such claims and parties.

¹ On June 23, 2021, Judge Broderick dismissed with prejudice the claims of all other plaintiffs in this action except for Scherban. (ECF 68).

Accordingly, it is hereby **ORDERED** that Plaintiff file a motion seeking leave of the Court to amend the complaint with respect to the new claims and new parties by **October 4, 2024**. Defendants' opposition, if any, is due by **October 25, 2024**. Plaintiff's reply, if any, is due by **November 1, 2024**.

SO ORDERED.

Dated: September 26, 2024
New York, New York

s/ Ona T. Wang

Ona T. Wang
United States Magistrate Judge